



May 26, 2011

To: ✓ Mr. Tom Sinclair, coastal Program Analyst, BCDC
50 California Street, Suite 2600
San Francisco, CA 94111

From: Mark Sanders, President
Westpoint Harbor LLC

Subject: Westpoint Marina and Boatyard; BCDC Permit file No. 2-02

Reference: Westpoint Letter to you dated April 18, 2011
Your letter to Westpoint dated May 4, 2011

Dear Tom:

Your May 4, 2011, letter included details regarding compliance with BCDC Permit conditions for Westpoint Marina and Boatyard. Below you will find responses to each item, together with reference documents to support those responses. For most items you will see we are in compliance, or cannot comply ("before phase 1b commences") because the items are authorized in a later phase (for example the launch ramp was part of Phase 1a so it could be built before the basin was flooded. But floats, lights, water, parking, roads are required for legal use, and authorized in Phase 1b. As a result the ramp is in place but remains unused).

In our conversation last April we discussed additional restrictions by Redwood City in the yet-to-be developed Phase 2 and 3 areas. You found no "written direction to close the dedicated public access areas from public use...due to safety and crime issues" in the City Use Permit, and "none of the Redwood City officials were aware of any regulatory conditions precluding public access".

Charles Jany (Redwood City Planning) has forwarded a copy of the City document restricting access to Phase 2 and Phase 3 areas as I described. As you will see the Planning, Permits, Engineering and Fire Departments were directly involved in these restrictions, and all four department heads inspected the facility prior to issuing the document (Attachment K).

The planned public access in the east and west areas (Phase 2 and 3) of the project remain restricted even though some pathways and landscaping are in place. These areas are very rough terrain with construction materials and equipment, and open trenches for water, power,

communications, sewer and irrigation lines, and exposed high-voltage transformers and switch gear. Obviously this underground work must be done before pathways, lookouts and landscaping can be completed, and in the meantime the area is restricted for obvious safety reasons.

Moreover, Pacific Shores Center has not yet extended the Bay Trail to the harbor nor opened the emergency access road entrance, so the pathways have no connection across the "Cargill Channel". Pathway and utility construction continues in tandem and both will be completed as planned in Phase 1b. (Remember the harbor property does not extend to the road/sidewalk on Pacific Shores, but lies in the center of the Cargill storm channel forty feet in from the fence).

The BCDC permit doesn't specify a construction sequence (which is driven by engineering considerations), and it will be at the end of Phase 1b that all items are completed. Obviously access is not practical until the pathways exist, so I don't think there is inconsistency between the City's safety concerns and the BCDC timeline for public access.

1. Permit Expiration.

Phase 1A was completed before August 15, 2010, however Phase 1B is not (the basin excavation took two years longer than expected). The remainder of Phase 1 is in process and a Permit Extension request was sent to you on May 23, 2011. (Attachment A)

2. Plan Review.

You are correct, "General and conceptual plans" were submitted and approved by the Commission and DRB leading to the August 7, 2003, authorization to construct the marina in three phases. Subsequently "complete plans and modifications" (*construction engineering drawings*) were provided to BCDC.

In total, 160 full-size engineering construction drawings were hand-delivered to BCDC covering Site Preparation, Dock Construction and the Harbormaster Building (all of Phase 1a and 1b). These drawings were unchanged through the amendments, however additional drawings were provided for minor additions, including launch ramp and guest dock utilities (so it could be included in Phase 1a), and detailed landscape and site furnishings as requested by the DRB (See Attachment B). BCDC (Brad McCrea and Steve McAdams) acknowledged receipt of the drawings but said BCDC "did not have staff expertise to review the drawings" and left it to me to insure construction proceeded in accordance with them. (Attachment C).

Attachment B cites an extra set of dock plans for Adrienne Klein because the originals were misplaced, and Attachment D is memo to Andrea Gaut responding to a request for additional detail on the construction drawing set. There is a good deal of after-the-fact correspondence making reference to all three drawing sets, which have been in BCDC possession for four to eight years. In addition to the General and Conceptual Plans in the permit package here is a summary of the engineering drawings directing construction at Westpoint:

- a. The **"Site Preparation Drawings, Westpoint Marina and Boatyard"** consist of nine 2'X3' drawings approved December 2003 by BCDC which was hand-delivered to Steve McAdams on October 16, 2003, together with Notice of Conditions, Covenants and Restrictions as prepared by Kent Mitchell. This package was used for construction of the entrance road and crossings to the project, emergency access roads, wicking and surcharge plans, basin excavation, and storm water treatment. The package remains unchanged through all permit modifications, and as noted above BCDC requested additional drawings for the launch ramp so it could be built before flooding the basin.
- b. The **"Westpoint Marina and Boatyard Phase 1"** drawing set consists of 28 pages of 2'X3' construction drawings hand delivered on July 7, 2007. This included site grading plans, Bay Trail grading plans, utility plans, lighting, signing, striping and dimensioning plans, the water meter complex and storm water pollution prevention plans. These drawings also remain unchanged, and two drawings were added in September 5, 2007, to include utilities to the guest dock. These utilities are part of Phase 3 but must be constructed before trails and landscaping can be installed and before the guest dock could be used, so a change was processed and the additional drawing provided to BCDC.
- c. The **"Westpoint Marina"** set consists of 75 pages of engineering construction drawing for dock, pile, and gangway construction. This package was hand delivered (again not reviewed by BCDC for staffing reasons). The drawings include eight main docks, two transient docks, and three docks associated with a rowing center and boatyard. Since the boatyard is in Phase 2 and the rowing center is in Phase 3, dock construction will necessarily continue through all phases. A second copy of this drawing package was delivered in March 2007 as requested by Adrienne Klein (Attachment B, J).
- d. The **"Harbor Master Office"** set consists of 37 oversize drawings detailing construction of the harbormaster building. This too was hand delivered to BCDC. The DRB reviewed exterior materials and colors, but otherwise made no changes to the documents and it was approved. On February 1, 2009, Architectural and Building permits were issued by RWC and construction started. (Attachment I details discussions with Jonathan Smith regarding the drawing package).
- e. In 2006 the DRB requested additional detail on the **landscaping and site furnishing** (see Attachments L, O, P). This was provided by BMS design and Bohley Consulting working with Brad McCrea. Because we are to "preserve the look and feel of the Pacific Shores Center pathways", the chore was simple, and Brad guided us through "what was important for BCDC". The drawings were part of the DRB package when we were approved to proceed.

3. Public Access Improvements

Tom, there are no Westpoint signs which "threaten the public with criminal legal sanctions for using dedicated public access areas". However Cargill signs (on Cargill land) along the south border and both south gates are labeled "Trespassing Forbidden by Law", and "trespassers will be prosecuted" (Attachment E). There are warning signs on adjoining Pacific Shores Center

property behind fences in two places where public access is not yet allowed over the Cargill Channel. None are on Westpoint land. BCDC signage guidelines did not exist at the time of construction. The following is a review of signs we do have:

" Sensitive Habitat, DO NOT ENTER" signs have been placed on the periphery of Greco Island and wetland areas on the east side of the harbor in accordance with US Fish and Wildlife Service requirements. Sign content, location and construction were completed in concert with FWS as required by our BCDC, Redwood City and FWS permits (Attachment F, and as detailed in a letter to you, Attachment G).

"No Wake Zone" and "3 MPH" signs facing Westpoint Slough. These are not visible from the shoreline, as shown on Attachment H).

"Trespassing Forbidden by Law- Cargill Salt" signs are spaced along the south side of the harbor and control access to Cargill ponds. The signs are required by Cargill in accordance with a License Agreement (which was provided to BCDC), and are on Cargill property.

"Danger-No Trespassing" and **"Danger-Keep Out"** signs are spaced every 100 feet around the Phase 3 area as required by Redwood City for safety reasons, and as recommended by the police department to control off-road vehicles and motorcycles which sometimes trespass.

"Danger-Construction Area-Keep Out" signs are located at the end of the path near the harbormaster building leading to the future Phase 2 area. The pathway is yet to be constructed, and more importantly beyond this point underground road work and construction (open trenches and equipment) for Phase 1b are in process. This is also required by Redwood City for safety reasons. This is also required by BCDC as shown on the DRB drawing set ("road and parking, terminate at Harbormaster building").

"Neighborhood Watch" signs were provided by the local police department.

These are industry-standard construction warning signs typical for use in areas posing a danger to people, and installation pre-dated BCDC sign guidelines. When construction is finished and pathways are completed these signs can safely be removed, and there cannot be "impediments to public access" before the access is complete.

We do have a tough time publically separating public access areas (the **Westpoint Harbor and Boatyard**) and private areas (the **Westpoint Harbor Club**). The DRB suggested we copy Mid-Peninsula Open Space District (MROSD) signs because they have similar problems identifying private areas in otherwise open spaces. **"Stop-Westpoint Harbor is a Private Facility-members and guests only"** signs are posted on the way to the harbor house. The problem is not boaters, visitors, bicyclists and pedestrians who typically come to the marina; some people think the harbor house is a restaurant and are disappointed to find it's an office and harbormaster residence, hence the MROSD type signs. Perhaps if we add the word "Club" to the signs to further distinguish between the marina/boatyard and Westpoint Club?

Regarding Special Conditions.

The permit is inconsistent in a number of areas as we discussed. For example, Phase 1 was divided into 1a and 1b so the marina could build the first set of docks (including the guest docks), temporary buildings etc and commence operation as marina. Phase 1b included more docks, paved roads, landscaping, paths etc, and is still incomplete. So requiring 1b items to be *in place before Phase 1a is in operation* is nonsensical. Most inconsistencies were sorted out with Andrea Gaut, as there usually was only one practical approach.

- a. The two lane **public launch ramp** was constructed before flooding the marina basin so it could be made in a "continuous pour" which is desirable. Water, power, lighting and parking are included in Phase 1b--so the launch ramp remains idle until the utilities and paths/roads/parking can be installed. Moreover, BCDC Phase 1a exhibits state "Launch ramp installed in Phase 1a but not operational until Phase 1b".

We have allowed NOAA, Coast Guard, Redwood City Police, Fire Departments, the Spartina Project, the Aqua Terra Project and the USGS to use the launch ramp for emergency vessels, and it will be open to the public with the completion of Phase 1b.

- b. The **"fifteen signed public parking spaces for vehicle and boat trailer parking"** are part of the launch ramp facilities and included in Phase 1b, and cannot be completed "prior to the commencement of Phase 1b" (DRB drawings, Attachment I letter to Smith).
- c. Likewise the **"twelve signed public parking spaces at various locations around the marina basin"** are in Phases 2 and 3, and can't be completed "prior to commencement of Phase 1b". At a practical level, Westpoint Harbor has lots of parking and have never approached even half full.
- d. **Walkway construction** is complete in areas where access is allowed, but not where access is not authorized (boatyard, future retail). Underground utilities and irrigation must be complete prior to paths and landscaping and is being constructed in Phase 1b as shown in the permit drawings. Vaults with valves and backflow preventers for fire suppression are flush with the ground, and together with PG&E transformers and MSB's are installed in accordance with the engineering drawings approved by BCDC and required by the Fire Department. These are near the paths but not encroaching.
- e. **Pacific Shores** has not extended its paths to the edge its property to allow continued access (the Bay Trail), nor has it opened the secondary fire road to the future retail area (I am confident we will be able to accomplish this in time). The wire fencing and signs on PSC property are as required by the City to keep the area secure and safe.
- f. **"Ten guest berths with signage"**. Westpoint Harbor has installed *forty* guest/transient berths all signed in accordance with Department of Boating and Waterways requirements. The Harbor hosts many visiting boaters and clubs, as well as the

America's Cup Testing team, visitors to nearby Sequoia Yacht Club and a variety of public agencies. Westpoint has never turned a guest or transient away, and offers more guest berths than all other South Bay marinas combined.

- g. **Public Restrooms.** The harbor provides restroom facilities for men and women (nine toilets), and the harbor house restrooms are signed and open to the public 7 days per week. As covered in correspondence with Andrea Gaut, as a big-boat harbor with pump-out facilities at every slip, few boaters use the onshore facilities, and the current facilities are more than adequate. Additional restrooms in the boatyard and retail areas are included in Phase 2 and 3.
- h. **Landscaping.** Landscaping is included in Phase 1b (see Amendment 3, and Attachment M). Its partially completed, and you saw landscapers working on your most recent visit. Regarding the condition of our landscaping see "Maintenance" below.
- i. **Site Furnishings** included in Phase 1a (lighting, trash) are in place. Furnishings in Phase 1b, 2 and 3 (benches and tables) will be installed when utilities/paths are finished and access is allowed by the City.
- j. **Access and trail signs** will be installed when the trails are complete in Phase 1b. Access signs and furnishings are "an attractive hazard" while trails are partially complete and construction is ongoing.
- k. **Final plans** for the harbormaster building, marina (dock system), and site preparation were hand-delivered to BCDC as previously noted. The formal response (other than verbal from the DRB, McAdams, Gaut, and McCrea) was correspondence stating staff lacked the capability to review the drawings and that it was my responsibility to insure the drawings were adhered to. In addition, the drawing packages were routinely used in meetings and correspondence over the subsequent 4-8 years, and of course later amendments referenced the drawings.

4. Maintenance

This paragraph refers to the requirement for maintenance of public areas, and you report *"some of the existing planting along the pathway is either in poor condition or dead; it appears that portions of the sprinkler system are dysfunctional, missing landscaped areas and, instead, saturating the public access perimeter path along the southern section of the marina"*.

Eggli Landscaping was recommended by Michael Smiley of the DRB and installed and maintains the landscaping systems at the harbor. Eggli reports that our "plants and trees are thriving", and Dave Pereira (manager in charge) says the following: "Landscaping commenced last year, and as one would expect the plants were initially stressed as they acclimatize to the new environment, especial very high salt-content soils. This was most noticeable with Lyriope, which has recovered nicely. Some trees are deciduous and have not leafed out (at the time of your visit), and other drought-tolerant plants (Pennisetum in particular) are dormant in the

winter and turn brown, re-sprouting in the spring. Eggli is currently installing more sprinklers and landscaping on the eastern pathways and within the last month confirmed all three sprinkler systems function properly". (The sprinklers are on a three-day cycle and were off the day you visited).

Westpoint experiences frequent winds of 10 to 20 knots, being fully exposed to a long wind fetch off the Bay. This sometimes makes water on the east/west pathway unavoidable from sprinklers (we use bubblers for trees), and for this reason sprinklers are activated in the morning to minimize lost water. A primary reason the DRB recommended decomposed granite over asphalt on pathways was to avoid water pooling.

5. Signage and Buoys to Alert Boaters of Sensitive Habitat

Westpoint Harbor worked closely with US Fish and Wildlife (Clyde Morris) to install signs to protect Greco Island in areas facing Westpoint Slough as well as First Slough. Signs were created and placed at the water's edge using non-ferrous materials and specially fabricated arrays to prevent roost sites for predator species. The location, content and construction of the signs were as required by USFWS (they have a standard sign for this application), and approved before installation. Attachment F shows a typical sign.

The California Department of Fish and Game chose to let USFWS manage the project. They did not use a "buoy system 100 feet from the salt marsh" as proposed by BCDC because extreme high/low tides in the south Bay render this impractical (tide exceeds water depth, and buoys would end up on the island or in the main channel). Instead signs were placed at the edge of the salt marsh on poles so they are visible by boaters at all tides as directed by USFWS. In all more than 35 signs were erected, and Westpoint Harbor also erected a tall cupola allowing 360 degree views of Greco Island to help USFWS monitor the area.

Buoys were placed in Westpoint Slough in cooperation with NOAA, USGS and the Port of Redwood City to designate the Westpoint Slough navigation channel from Redwood Creek to the harbor entrance. The entrance is marked a "No Wake" zone (Attachment H), and this restriction is included in the "Harbor Rules and Regulations" provided to all boaters. The Port of Redwood City placed a "No Wake" buoy at the entrance to Westpoint Slough in 2008, since they have control of the channel. You did not observe these signs because they are for vessels and only seen from the water, not the land. When the launch ramp area is completed identical signs will be placed there.

This was reported to BCDC, and at a South Bay Salt Pond Restoration Project meeting Clyde Morris and Steve McAdams complimented us on the job when it was done.

6. Visual Barriers to Adjacent Salt Pond.

The BCDC permit originally required a "three-foot metal fence" fence as a barrier to Cargill lands on the south levee of the harbor to prevent disturbance to water birds. The narrow levee was a problem for geotechnical reasons and BCDC approved its expansion to 85 feet

which it concluded was sufficient setback to satisfy the screening requirements. It was finally the Cargill signs that eliminated the problem.

7. Marine Toilets.

All boats in Westpoint Harbor are required and do have holding tanks, and we provide pump-out facilities *at every slip*. As a result the water in our harbor tests cleaner than the Bay itself, which is why Stanford University runs its annual triathlon in our basin.

A copy of the "**Harbor Rules and Regulations**" has been continuously posted on our website at www.westpointharbor.com and is included in the **boater package** given to all tenants. It includes specific requirements for vessel sanitation. This was provided to BCDC together with the "**Marina Management and Operations Manual**" on May 20, 2007, and these rules and practices exceed the special conditions regarding Marine Toilets. (Attachment Q). In fact, Westpoint Harbor's sewer management system surpasses any other marina in the Bay. The BMP's include our **Marina Environmental Policies and Clean Marina Plan**, and the text of the **Harbor Rules and Regulations** is printed at the end of this letter with specifics on marine sanitation is underlined for your information.

8. Live-Aboard Boats

As you observed during your visit, restrooms, showers, sewage pump-out facilities, parking, garbage disposal and recycling areas are complete and operating. The design and location of these facilities are shown in the "Westpoint Marina and Boatyard" and "Westpoint Harbor" design packages. Local codes have been observed and the designs were approved by the City on January 8, 2008.

All Westpoint slips are "designated live-aboard berths". Older marinas have one (or even no) pump-out station for vessels, and some are updated with permanent sewer hookups for "dedicated live-aboard" berths. Because Westpoint Harbor has sewer, potable and fire-protection water, power, telephone and storage *for every slip*, all berths are live-aboard capable. This allows us to evenly distribute live-aboard boats throughout the harbor for security reasons (approximately 6 boats per dock) regardless of size and status changes of the boaters as they come and go. We strictly limit live-aboard slips to 10%.

Our marina sewer system was jointly developed with the California Department of Boating and Waterways, and is considered the most advanced facility in California

9. Certification of Contractor Review.

OC Jones, Top Grade Construction and Bellingham Marine Industries were the main contractors at Westpoint Harbor. A copy of the BCDC Permit was supplied to each, and the certification requirement is listed in the drawing packages and bid sets. Also, written reminders were sent if needed. (See Attachment N example and the first page on each drawing package.)

10. Notifying NOAA to update Nautical Charts.

Westpoint Harbor worked with NOAA (Kate Fensterstock) and the USCG (Brian Aldrich, Coast Guard District 11; Aids to Navigation), and the Port of Redwood City from 2007 to 2009. This was for placement of navigational aids and updating of nautical charts, and involved underwater surveys and drawing sets provided to those agencies. Westpoint also actively participated in the **Aqua Terra** project to remove wrecks and other hazards to navigation in Westpoint Slough. (Attachment R).

This work was managed by NOAA and has been completed. Electronic charts were updated in 2009, and last year printed charts were available from NOAA too. They show correct location for the marina and navigational buoys in Westpoint Slough (you can see these online). We followed the "USCG NOS Cooperative Chart Updating Program", and a NOAA "Permit Completion Report" was provided to BCDC in May 2009.

HARBOR RULES AND REGULATIONS

Thank you for choosing Westpoint Harbor as your "homeport" in the San Francisco Bay. Westpoint Harbor is a private marina complex established to provide a safe and comfortable haven for those who enjoy boating and water-oriented activities, or would like to. The following rules are for the safety and comfort of everyone, and are mostly restatements of government ordinances. The Harbor reserves the right to update lease rates as well as revoke permission to enter the facility at any time. This applies to tenants, guests and visitors.

Owner agrees to comply with all applicable laws, ordinances, rules, regulations and instructions of the U.S. Coast Guard and other Federal, State and Local authorities. "Owner" includes any person associated with the owner of a Vessel including family members, invitees, agents, employees and licensees on Harbor premises. We are concerned about the local marine environment and remind you that there are numerous Federal, State and Local regulations regarding discharge of any material into the Bay, including treated and non-treated sewage. All vessels are required to have a holding tank which is pumped out regularly. Any vessel found to have caused an improper discharge into the Bay will be asked to leave the Harbor.

ON THE DOCKS

1. No running on the docks! Bicycles or scooters are not allowed on the docks, and no item may be placed or stored on the docks or walkways that could obstruct passage.
2. Mooring lines, water hoses and other dock connections shall be dressed to prevent obstruction or otherwise create a hazard. When not in use, water hoses should be stowed in the dock box.

3. Storage of acids, batteries, glass, flammable liquids, paint thinners and paint is prohibited on the docks and walkways, and in the dock boxes. Barbecues, plants, bicycles and other obstructions are not permitted on the docks. Boats should be kept clean and shipshape. Securely attached marine canvas is acceptable, but plastic tarps are not to be used on boats in the harbor.

4. Dinghies, inflatable boats, kayaks and other watercraft are not allowed on the docks, and when not in immediate use shall be kept on the Owner's vessel, or in an assigned dinghy storage area. Use of another slip for non-emergency purposes is prohibited.

5. Temporary, non-affixed dock steps may be placed on the finger, subject to prior written approval from the harbormaster. Such steps may be no wider than half the finger width, and no longer than five feet. No portion of any vessel may overhang the walkway at any time.

6. All electrical connections between the boat and slip must be direct. RV connectors and other non-standard connections are prohibited, and connections shall be U.L. approved weatherproof three or four-wire grounded types. Cords may not cross walkways nor be affixed to the docks. Automotive battery chargers are prohibited on boats in the Harbor.

7. Major BOAT REPAIRS are not permitted in the Harbor basin. This includes spray painting, stripping, and hull repairs.

6. QUIET HOURS are 10 PM to 8 AM every day. Parties require the harbormaster permission, and in no case will a tenant, guest or individual be given permission to interfere with the comfort of others. Engines may not be run during quiet hours except to enter or leave the slip, and engines may not be operated in gear when attached to the docks. Be especially thoughtful of neighbors when playing music, and insure that halyards are secured to eliminate noise. DOCK LINES shall be of adequate size for the vessel, and replaced when worn. All vessels shall be moored with bow, stern and spring lines to insure there is no overhang on the docks.

7. No solid or liquid material may be thrown, discharged or deposited from any vessel. This includes refuse matter, oily bilges, and flammable liquid or waste materials. Battery acid, hydraulic fluids, oil, paint and thinners, anti-freeze and some tequilas are considered hazardous materials, and may not be placed in or around the dumpsters. Disposal of these items may be facilitated by the Harbormaster, and in all cases is the berther's responsibility. Disposal of portable sanitation devices in Marina toilets or lavatories is prohibited.

8. No FUELING or transfer of fuel from the docks is permitted, except a designated fuel dock. No fireworks, firearms or live ammunition are allowed in the Harbor.

DOCK BOXES

Dock boxes are provided with each slip, together with a keyed waterproof lock. Harbor locks must be used so dock boxes may be opened in an emergency, and the boxes are provided for non-flammable and non-volatile supplies and accessories only. A \$10.00 fee is charged for lost keys, and \$25.00 for lost locks.

PETS

Dogs and other pets must be kept on a leash or otherwise controlled when on the docks, floats and other public areas of the Marina. Pets are not allowed in the restrooms, and must not create a disturbance. Owners must clean up after their pets.

UNDERWAY

The entire Westpoint Harbor is a "no wake" zone. In no case may any waterborne vessel exceed 5 knots. When underway on land, the speed limit is 10 MPH.

The Westpoint Slough Channel (from the main Redwood Creek Channel to the marina entrance) is also a "no-wake" zone. Greco Island is home to several sensitive and endangered species, and boaters must not approach this area.

IN THE HARBOR COMPLEX

1. Designated PARKING is expressly for the use of Harbor boat Owners and their guests, and violators will be towed at Owner's sole risk and expense. Long-term storage of vehicles (over seven days) is not permitted, and Westpoint Harbor does not warrant the availability or security of parking. Use of parking and leaving of contents in parked vehicles is at the owner's own risk. All tenant vehicles must have a Westpoint Harbor parking decal displayed on the vehicle. Visitors and contracted vendors may obtain visitors passes from the Harbormaster. The Harbormaster must approve parking of boat trailers, motor homes and other recreational vehicles.
2. There are a finite number of allowed "LIVEABOARD" slips in the Harbor. This is strictly monitored, and all liveaboards must be approved by the Harbormaster.
3. No overnight berthing is allowed at the fuel docks, nor anchoring in the marina basin.
4. Alteration to the docks, piles, walkways, water pipes, electrical connections and video/telephone connections is strictly prohibited, with no exceptions. No attachment of any kind to the docks or piles is permitted under any circumstances.
5. No ADVERTISING or soliciting is permitted without the written permission of Westpoint Harbor. "For Sale" signs are not permitted and individuals within Westpoint Harbor may not engage in the selling or purchasing of any vessel for the interest of another. Exceptions are licensed salespersons authorized to operate within the Harbor.

6. GUEST BERTHS are available for visiting boats. Visiting boaters and clubs may organize slips as available by contacting the Harbormaster.

7. SEAWORTHY CONDITION of vessels. All vessels are to be maintained in a sound and seaworthy condition. When the Harbor considers there is a risk of sinking, fire, or other hazard, or that the boat has become unsightly, the Harbor may at its sole discretion give the Owner two weeks notice to correct the problem(s). Failure to do so will be a default of the Vessel license Agreement. Boats without a means of propulsion, either power or sail, may not be kept in the marina.

8. Use of picnic tables is for picnicking. Painting and varnishing do not qualify. Open fires and barbecues are not permitted on the docks or aboard boats in the Marina, except gas-fired barbecues which are permitted on boats.

9. FISHING from the docks or riprap is prohibited, as is SWIMMING anywhere within the Harbor basin.

10. CHILDREN must be kept under parental control at all times.

11. All YACHT BROKERS, CONTRACTORS, workers, crew or other agents of the Owner must be registered and approved by the Harbor, and provide copies of insurance policies and adequate security prior to admittance to the marina, and complete a waiver of liability in favor of the Harbor.

**PLEASE NOTIFY THE MARINA OF UNSAFE, UNLAWFUL, HAZARDOUS OR UNSIGHTLY
CONDITION**